

200 Ports Authority Drive
Mount Pleasant, SC 29464 USA
(800) 382-1721

Date: August 24, 2021
To: Valued Customers

Changes have been made to Marine Terminal Operator Schedule No. 9 for the South Carolina Inland Port Greer effective August 24, 2021. Below are the primary areas affected:

AREAS OF CHANGE:

Abandoned Property and Long Dwelling Property – Rule 34-076

For purposes of this Rule 34-076, the following definitions shall apply:

“Abandoned Property” means any tangible property, including but not limited to, containers, chassis, drums, tanks, vehicles, boxes, cargo, goods, parts, and equipment which has been left or stored on a terminal facility ninety (90) days or longer.

“Long-Dwelling Property” means any tangible property, including but not limited to, containers, chassis, drums, tanks, vehicles, boxes, cargo, goods, parts, and equipment which has been left or stored on a terminal facility fifteen (15) days or longer.

“Owner” means the User who moved the Abandoned Property or Long-Dwelling Property onto the terminal and/or any other party known to the Authority who may claim an interest in the Abandoned Property or Long-Dwelling Property, including but not limited to the User’s agent, owner, and the owner’s agent.

“Written Notice of Abandoned Property” means notice sent via first-class or certified mail to the last known address of the Owner as indicated on the Authority’s records; such notice shall be deemed delivered on the date of receipt or three (3) days after the postmark on the notice’s envelope, whichever is earlier.

“Written Notice of Long-Dwelling Property” means notice to the last known address of the Owner as indicated on the Authority’s records sent via i) first-class or certified mail or ii) electronic mail or other electronic means (with confirmation of transmission). If sent via first-class or certified mail, such notice shall be deemed delivered on the date of receipt or three (3) days after the postmark on the notice’s envelope, whichever is earlier. If sent via electronic mail or other electronic means (with confirmation of transmission), such notice shall be deemed delivered on the date of receipt or three (3) days after transmission, whichever is earlier.

Relocation of Long-Dwelling Property

The Authority, in its sole and exclusive discretion, and with three (3) days prior Written Notice of Long-Dwelling Property to Owner, may relocate Long-Dwelling Property to another terminal facility or an off-terminal site leased or licensed by the Authority. Owner will be responsible for all costs and expenses associated with relocating Long-Dwelling Property, including but not limited to any costs to move, dray, load, unload, barge, remove, and store the Long-Dwelling Property. The Authority will provide further written notice of the relocation to the Owner once the Long-Dwelling Property is relocated. The

Authority shall not be responsible for any costs or expenses incurred by Owner or any third party because of Authority relocating Long-Dwelling Property, except as provided under Rule 34-020.

Any party or User, including but not limited to Owners, failing or refusing to remove Long-Dwelling Property after Written Notice of Long-Dwelling Property from the Authority shall release, indemnify, defend, and hold harmless the Authority from any and all claims, suits, damages, injuries to persons or property, civil or criminal fines, or legal, regulatory or administrative proceedings, arising out of or relating to the presence of such Long-Dwelling Property on the Authority's terminals and the Authority's relocation of the Long-Dwelling Property. If any legal, regulatory, or administrative proceedings are necessary because of the failure to remove Long-Dwelling Property after notice, the interested party or parties shall be liable to the Authority for all the Authority's legal costs and expenses, including but not limited to attorneys' fees.

Sale of Abandoned Property

The Authority in its sole and exclusive discretion may sell Abandoned Property (individually, in bulk, or in packages) at a public or private sale in accordance with South Carolina Code Annotated §§ 36-7-206 and 36-7-210. The Authority will give the Owners thirty (30) days' prior Written Notice of Authority's intent to sell the Abandoned Property. Prior to the sale of the Abandoned Property, any Owner may claim and remove the Abandoned Property upon payment of all accrued charges relating to the Abandoned Property. The Authority shall be entitled to use the proceeds of any such sale to satisfy its lien on the Abandoned Property and all costs and expenses associated with the sale or disposal of the Abandoned Property. Owners shall remain liable to the Authority for all accrued charges, and all costs and expenses of selling or appropriately disposing of the Abandoned Property, less any sales proceeds received by the Authority.

Any party or User, including but not limited to Owners, abandoning, failing, or refusing to remove Abandoned Property after Written Notice of Abandoned Property from the Authority shall release, indemnify, defend, and hold harmless the Authority from any and all claims, suits, damages, injuries to persons or property, civil or criminal fines, or legal, regulatory or administrative proceedings, arising out of or relating to the presence of such Abandoned Property on the Authority's terminals and the Authority's sale or disposal of the Abandoned Property. If any legal, regulatory, or administrative proceedings are necessary because of the failure to remove abandoned, long-dwelling, refused, or unclaimed Abandoned Property after notice, the interested party or parties shall be liable to the Authority for all the Authority's legal costs and expenses, including but not limited to attorneys' fees.

Details can be found in the Inland Port Greer Schedule.

The schedule can be obtained through the Ports Authority's website at www.scspace.com.

Any questions or rate inquiries may be sent to: quotes@scspace.com



SOUTH CAROLINA STATE PORTS AUTHORITY

MARINE TERMINAL OPERATOR SCHEDULE NO. 9

CHARGES, RULES AND REGULATIONS
GOVERNING
HANDLING, STORAGE AND OTHER
MISCELLANEOUS PORT TERMINAL OR WAREHOUSE SERVICES

TERMINAL SCHEDULE

APPLICABLE AT SOUTH CAROLINA
INLAND PORT GREER

ISSUED SEPTEMBER 18, 2013

EFFECTIVE OCTOBER 1, 2013

ISSUED BY
SCSPA
200 PORTS AUTHORITY DRIVE
MOUNT PLEASANT, SC 29464
(800) 845-7106

TERMINAL SCHEDULE NO. 9

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I. RULES AND REGULATIONS

A. GENERAL

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-001
AUTHORITY HELD HARMLESS
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

All users of Authority facilities agree to indemnify and hold harmless the Authority from and against any and all causes of action, suits, claims, damages, and demands of whatever kind or nature, including claims for consequential damages, claims for personal injury, wrongful death, breach of contract, property damage, natural resource damage, loss of income and earnings, civil or criminal fines that are incident to or result from the user's operations on the property of the Authority and the use of the Authority's facilities (hereinafter "damages"), and all users shall defend the Authority from any legal or equitable action brought against the Authority based on said damages, and pay all expenses and attorneys' fees in connection therewith.

This rule is not to be construed as requiring any user to hold harmless or indemnify the Authority for that portion or percentage of such losses, etc., if any, caused by the negligence of the Authority.

**RULE 34-005
GENERAL APPLICATION
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

The charges, rules and regulations published in this schedule apply on all cargo moving through the inland port facilities of the South Carolina State Ports Authority, hereinafter referred to as "Authority," and shall apply equally to all users of the facilities.

The charges published in this schedule are in addition to those assessed for transportation.

Except as otherwise shown, the charges published in this schedule apply only on cargo in standard packages.

Except as otherwise shown, the charges published in this schedule are assessed against the ocean carrier.

The charges published in this schedule will be assessed per container, unless otherwise noted.

Except as otherwise shown, the storage charges published in this schedule apply on cargo held in regular storage.

The use of Authority facilities constitutes an acceptance by the user of all charges, rules and regulations published in this schedule and the user agrees to pay all charges and be governed by all rules and regulations published in the schedule.

Charges, rates, rules, and payment terms for services, as provided in this schedule may be varied by written agreement.

The Authority may assess charges for services not addressed in this schedule. Additional charges will be quoted by the Terminal Manager upon request.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-010
SERVICES RESERVED
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

Services normally performed by the Authority will be performed only by Authority personnel unless permission is granted to other personnel to perform such services. If permission is granted, the Authority shall be paid for labor, materials, utilities or facilities it may furnish in connection with such services, including personnel it may furnish to protect its interest. No mechanical equipment may be brought or used on Authority property without permission.

**RULE 34-020
AUTHORITY LIABILITY
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

Except as may be caused by its own negligence, the Authority shall not be liable for any loss or damage to any cargo, container, or chassis handled over or through its facilities or stored in its facilities resulting from fire, water, collapse of buildings, sheds, platforms or wharves, settling of floors or foundations, breakage of pipes or for loss or damage caused by rats, mice, moths, weevils or other animals or insects, frost or the elements, nor shall it be liable for any delay, loss or damage resulting from strikes, tumult, insurrection, acts of governmental authorities, force majeure, or acts of God.

Any limitation of liability contained in the Bill of Lading or other document by which the goods are traveling shall, to the extent offered to terminal operators, apply to and inure to the benefit of the Authority.

Regardless of the nature of the claim or cause of action, whether in contract, tort, warranty, or otherwise, the Authority shall not be liable for incidental or consequential damages, costs or expenses including, but not limited to, loss of use, lost profits, or other consequential or incidental economic loss, resulting from loss or damage to property.

**RULE 34-021
JURISDICTION
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

Jurisdiction for any action against the Authority, arising from Authority services, whether in law or equity, whether sounding in contract or in tort, lies exclusively in the Circuit Courts of the state of South Carolina, and in no other forum. In the case of an action in tort, jurisdiction is in the Circuit Court of South Carolina and brought in the county in which the act or omission occurred. In any action sounding in contract, jurisdiction is solely in the Circuit Court of Charleston County. Use of Authority facilities or services further constitutes consent to jurisdiction in accordance with this Item, and constitutes waiver of jurisdiction or venue in any other location or forum.

This Item does not apply to actions brought pursuant to Acts of the Congress of the United States that expressly designate the jurisdiction in which such actions should be commenced, and from which the Authority would not have sovereign or eleventh amendment immunity.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-040
HAZARDOUS COMMODITIES
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

Shipments of hazardous materials as defined in 49 CFR 172.101, extremely hazardous substances as defined in 40 CFR 355 Appendix A, and CERCLA hazardous substances as defined in 40 CFR 302 Table 302.4 will be permitted only upon full compliance with applicable regulations by steamship lines, their agents, and agencies of transportation. Applicable regulations include all federal, state, and local requirements.

Anyone or any concern tendering hazardous commodities for storage and/or movement through the Authority's facilities shall provide advance notification to the Authority in accordance with the standards of reasonable care and prudent conduct, and in accordance with prevailing published hazardous materials rules. The Authority provides steamship lines and agents, with a written list of materials that require advance approval before being received at Authority facilities. It is the responsibility of the steamship line and/or agent tendering hazardous commodities for storage and/or movement through Authority facilities to request and receive advance approval from the Authority through the Hazardous Material Approval notification system provided on the Authority website at http://www.scspace.com/Online_Tools/hazmat_form.asp.

For import, export, or transshipped cargo qualifying as hazardous material cargo, request for approval must be only from the steamship carrier or its registered agent and from no other. Steamship line or agent shall provide a Hazardous Material Load List and/or Discharge List to the Authority by the end of the next regular business day following completion of the vessel's operations.

If an unauthorized hazardous commodity is found on Authority facilities, the Authority may order its removal by the responsible steamship line or agent. All charges, for removal, including those assessed by the Authority will be the responsibility of the steamship line or agent responsible for the unauthorized hazardous commodity.

Anyone or any concern handling, using, owning, transporting, possessing or disposing of hazardous materials shall also indemnify and hold harmless the Authority from all damages, claims, expenses, including attorney fees resulting from the presence of such commodities at or near the ports of South Carolina, excepting only that portion caused by the negligence or fault of the Authority, its agents or employees.

Failure to comply with the requirements of this Rule 34-040 may result in denial of access to the Authority's facilities for such hazardous cargo, and any loss or cost resulting from such denial of access shall be the responsibility solely of the non-complying user and not that of the Authority.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-045
HOLIDAYS
ISSUED: 01FEB2017
EFFECTIVE: 01FEB2017**

The following holidays are observed by the Authority and the Main Office will likely be closed. Gates may be open as usual or with restricted hours:

HOLIDAY

New Year's Day (January 1)
Martin Luther King, Jr. Birthday (Third Monday in January)
President's Day (Third Monday in February)
Good Friday (Friday before Easter)
Memorial Day (Last Monday in May)
Independence Day (July 4)
Labor Day (First Monday in September)
Veterans' Day (November 11)
Thanksgiving Day (Fourth Thursday in November)
Thanksgiving Friday (Friday after Thanksgiving)
Christmas Eve (December 24)
Christmas Day (December 25)
New Year's Eve (December 31)

When a holiday falls on Saturday, the preceding Friday will be observed. When a holiday falls on Sunday, the following Monday will be observed.

**RULE 34-050
INSURANCE
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

The charges published in this schedule do not include any expense of insurance covering owner's interest in the cargo nor will such insurance be effected by the Authority under its policies.

**RULE 34-055
PAYMENT OF INVOICES
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

All invoices are rendered in accordance with this schedule and are due on presentation payable at Charleston, South Carolina in dollar funds collectible at par. Failure to pay within 30 days (or within the time specified in an agreement between the user and the Authority) will result in the responsible party being placed on the delinquent list. All parties placed on the delinquent list will be denied further use of Authority facilities until all outstanding charges have been paid. The Authority reserves the right to estimate and collect in advance all charges against cargo if credit has not been established with the Authority or if parties representing such cargo have habitually been on the delinquent list. Use of the facilities may be denied until such advance charges have been paid. The Authority reserves the right to apply any payment received against the oldest outstanding invoices.

Amounts outstanding after 30 days will be considered delinquent and may be subject to interest charges at a rate of 1% per month or 12% per annum.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-060
PROVIDING BILLING INFORMATION
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

All vessels, their owners and agents shall permit the Authority access to manifests, loading or discharge lists, rail or motor carrier freight bills or any pertinent documents for the purpose of audits to determine the accuracy of reports filed or for obtaining necessary information for correct billing of charges. They shall, within five (5) regular working days after vessel sails, furnish the Authority with information on all cargo loaded or discharged as well as any other information which might be required for the accurate billing of cargo and vessel charges.

The penalty provisions of this rule for failure to provide such information within the specified time will result in a charge of \$50.00 per day for each day beyond the five (5) regular working days allowed and may result in the denial of berth assignment for any vessel(s) until such user is in compliance.

**RULE 34-065
REGISTRATION REQUIRED
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

All firms conducting business with the Authority or operating on Authority facilities are required to register with the Authority on July 1 of each year. Firms shall include all corporations, partnerships or individual proprietorships. Registration will consist of completing a form to be furnished and filed with the Authority. Information to be furnished shall include the name and address of the firm and its principals or senior corporate officers, the location of all offices, a listing of business licenses in effect and credit references. In addition, all firms shall furnish to the Authority certificates of insurance evidencing coverage requirements stated on the annual registration form. The registration form must be signed by a principal or senior corporate officer of the firm and the Authority may deny use of its facilities to any firm furnishing false, incomplete or misleading information. All new firms must register and furnish certificate of insurance prior to conducting any business or operations as defined in this rule. Subsequent registration shall take place on July 1 of each year.

**RULE 34-067
SOLICITATION
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

It shall be unlawful for any person or firm to solicit or carry on business on Authority facilities without first registering with the Authority as required by this Schedule in Rule 34-065 in addition to having the required State, County, and/or local municipal occupational licenses. Registered persons or firms conducting business with the Authority or operating on Authority facilities and certain registered persons or firms that provide services and operate within the harbors of the ports under the jurisdiction of the Authority shall comply, where it is applicable, with the Authority's written Policy on Solicitation.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-070
REGULAR WORKING HOURS
ISSUED: 28FEB2014
EFFECTIVE: 01MAR2014**

Interchange Gates and Yard will be open for truck traffic 24 hours per day / 7 days a week, holidays possibly excepted.

The facilitation fee will be unchanged during a 24 hour period however additional requested yard services may be subject to overtime rates depending on staffing required when the requested service is performed.

If the gates are opened outside the regular hours, whether by Authority choosing or upon request, then Ocean Carriers will be invoiced for their proportional share of gate labor expense based on their volume of transactions.

**RULE 34-075
RESPONSIBILITY FOR CHARGES
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

On each shipment moving out of the port by motor carrier, the designated Ocean Carrier shall be responsible to the Authority for the payment of terminal charges on such shipment and these charges shall become the obligation of the Ocean Carrier.

On each shipment moving into the port by motor carrier or rail, the designated Ocean Carrier shall be responsible to the Authority for the payment of terminal charges on such shipment and these charges shall become the obligation of the Ocean Carrier.

On each shipment, inbound or outbound, the Authority shall have the right to refuse to release a shipment until given satisfactory assurance that all terminal charges against the shipment will be paid.

**RULE 34-080
RESPONSIBILITY FOR CLEANING FACILITIES
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

All users of Authority facilities shall be held responsible for cleaning the facilities after using them, including adjacent aprons and gutters. If the facilities are not properly cleaned, the Authority shall order them cleaned and bill the responsible party at the charges published in this tariff.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-085
RESPONSIBILITY FOR DAMAGE TO FACILITIES
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

All users of Authority facilities shall be held responsible for all damage resulting from their use of Authority facilities and the Authority shall reserve the right to repair or replace or contract for repair or replacement of such damaged facilities. Such users damaging Authority facilities shall be liable for actual cost of repair or replacement of the damaged facilities, plus fifteen percent (15%) of such costs for Authority overhead and supervision, plus such other damages recoverable under the laws of the State of South Carolina.

If legal action is necessary to collect the cost of repair or replacement of the damaged facilities, the Authority shall be entitled to recover the costs of collection, including reasonable attorneys' fees, which fees shall not be less than fifteen (15%) of the amount of the actual costs of repair or replacement and Authority overhead and supervision, which collection costs shall be made part of any judgment obtained.

**RULE 34-086
SAFETY AND WORKMANLIKE PERFORMANCE
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

All users of Authority facilities shall conduct their operations and activities at the Authority's facilities in a safe manner, shall comply with all safety rules and regulations of the Authority and shall comply with the safety regulations imposed by applicable Federal, State, and Local rules and regulations. Also all users shall require the observance of these safety rules and regulations by all employees, contractors, business invitees and all other persons transacting business with or for such users or in any way related to user's business in or upon the Authority's facilities. Each user agrees, for itself and any employee, contractor or other person working for or on behalf of the user, to observe due care at all times as required by the circumstances of its operations on the Authority's facilities. Also neither the user nor its employees nor any contractor nor any person engaged in the performance of user's operations shall require any person working for or on behalf of such user to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to anyone's health or safety.

Each user shall perform its work in a workmanlike manner.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-090
SHIPPERS REQUESTS AND COMPLAINTS
ISSUED: 23JUN2016
EFFECTIVE: 23JUN2016**

Requests and complaints from shippers on matters relating to charges, rules and regulations published in this tariff should be addressed to:

Terminal Manager
Inland Port Greer
100 International Commerce Blvd.
Greer, SC 29651

**RULE 34-095
SMOKING PROHIBITED
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

Smoking is prohibited in posted areas.

**RULE 34-096
PORT POLICE SERVICES
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

The South Carolina State Ports Authority Port Police has jurisdiction over all aspects of security at Authority terminals and facilities, including, but not limited to, cargo, gate, and other routine or emergency situations. Any request to use private or special security other than the Authority's Port Police **must be approved by the Authority's Chief of Police.**

If private or special security is authorized, certified police officers must be used. The Chief of Police will determine the number of personnel assigned per function. The Authority reserves the right to assess a charge for any special function or activity. The Chief of Police can be reached at phone numbers (843) 577-8665 and (843) 728-0245 or via fax at (843) 577-8655.

Charges for private or special security, if authorized, will be billed at cost, plus thirty (30) percent.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-097
PERSONNEL AND VEHICLE ACCESS TO FACILITIES
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013**

A. Personnel Access

All Authority Terminals and facilities are Restricted Access Areas. Entry into Authority facilities is allowed for valid, verifiable business only. Persons seeking entry must present photo identification (ID) approved by and acceptable to the Authority's Port Police; entry is not permitted without an approval and valid photo ID. Photo ID must be produced on demand of the Authority or of law enforcement when on Authority facilities.

All facility personnel that require regular access to Authority facilities for official business must apply for ID cards issued by the Authority. Regular access is access more than twice within any consecutive 30-day period. The application process and forms are provided by Authority Port Police. An administrative fee for the application process shall be charged in the amount of \$20 for qualified applicants. An additional charge of \$35 will apply to replacement of lost or misplaced ID cards. ID cards shall be valid for one year, after which they shall expire. The SPA-issued ID cards must be displayed at all times while on Authority facilities.

B. Vehicle Access

All persons requiring regular vehicle access to Authority facilities and which are necessary and essential to accomplish authorized job tasks on Authority facilities, as determined by the Authority, must apply for vehicle access decals through the Authority's Port Police. Vehicles that are authorized regular access will be issued appropriate decals to display on the windshield. The decals will expire annually at the end of the month in which they were issued.

A charge of \$20.00 per year shall be paid for each and every vehicle that is necessary and essential to accomplish the authorized job tasks on Authority facilities and for which the Authority will issue an identifying decal authorizing entrance to Authority facilities.

Vehicles that are not essential and necessary to accomplish the authorized job task for access purposes, as determined by the Authority, but are used as transportation to and from work, will pay to the Authority \$5.00 per year for each and every vehicle for which the Authority will issue an identifying decal authorizing entrance to park in General Parking Lots only.

Applicants for vehicle access decals must provide the Authority with certificates or other satisfactory proof of liability insurance.

All persons operating vehicles on Authority facilities must abide by all Authority traffic and parking regulations, signs and traffic control signals and pavement markings. Violations shall result in monetary fines, suspension of vehicle access privileges, and/or impoundment or removal of the vehicle, as appropriate in the judgment of the Authority. Habitual offenders or those failing to pay fines shall have vehicle access privileges revoked.

Vehicles improperly parked in areas designated as restricted or no-parking areas may be towed, removed and/or impounded, with or without notice, at the risk and expense of the owner. Vehicle owners shall comply with directions of the Authority's Port Police as to operation, parking or location of vehicles.

All vehicles and operators accessing SCIP must also adhere to all other Government, chassis pool operator and Norfolk Southern requirements and regulations.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

RULE 34-097, CONT'D.

C. Weapons Prohibited, Security Screening and Searches

Weapons are prohibited on Authority facilities except for authorized law enforcement. The Authority enforces the laws, rules and regulations promulgated under the Maritime Transportation Security Act of 2002. Entry into Authority facilities constitutes valid consent to search of persons, vehicles and property on Authority facilities. Security screenings and searches may include, without being limited to, visual inspection, inspection inside packages and containers, and use of mirrors, screening devices or dogs. Searches may be conducted at random.

D. Failure to Comply

Persons or vehicles failing to comply with this Rule may be denied access to Authority facilities and/or removed from Authority facilities.

I. RULES AND REGULATIONS

B. CONTAINER

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-145
CONTAINERS AND CHASSIS
ISSUED: 23JUN2016
EFFECTIVE: 23JUN2016**

The Equipment Interchange Receipt will be furnished and prepared by the Authority to the extent of noting visual damage, excluding running gear, lights, wiring and contents.

The Authority accepts no responsibility for furnishing chassis or any other type of conveyance.

The Authority accepts no responsibility for the condition of containers until such equipment has moved through an inspection station. The Rail Staging Area will serve as an inspection station at Inland Port Greer.

All containers are required to move through the Rail Staging Area prior to being grounded and entered into storage.

**RULE 34-150
CONTAINER REPAIRING, SERVICING AND CLEANING
ISSUED: 23JUN2016
EFFECTIVE: 23JUN2016**

All container repairing, servicing, and cleaning firms conducting operations on Authority facilities shall register with the Authority prior to undertaking such operations and thereafter on July 1 of each year and, in addition, shall comply with the following:

Pay to the Authority a charge of \$265.00 per year for each and every vehicle to be used on Authority facilities for which the Authority will issue an identifying decal authorizing entrance to Authority facilities.

Deposit with the Authority either cash or bond in the amount of \$500.00 any balance of which will be refunded within 30 days after termination of all operations on Authority facilities.

Provide the Authority with copies of certificates of liability insurance covering the operations on Authority facilities showing the maximum limits for bodily injury and property damage.

Mark and identify all vehicles and equipment to be used on Authority facilities and maintain such vehicles and equipment in good condition.

Remove from Authority facilities all vehicles, equipment and material not currently being utilized and all scrap and trash resulting from operations on Authority facilities.

Conduct all operations in accordance with Authority, Coast Guard and OSHA regulations and federal, state and local statutes and only within areas designated by the Authority and refrain from entering other areas without written permission from the Authority.

The Authority will not service refrigerated containers at Inland Port Greer.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

**RULE 34-151
EXPORT CONTAINERS
ISSUED: 23JUN2016
EFFECTIVE: 23JUN2016**

All containers for export entering the Inland Port Greer must have a corresponding ocean carrier Waybill prior to be accepted on the terminal.

It is the intent of the Authority to load exports into Inland Port Greer on the next available train as long as space and schedules permit.

The Authority will not be responsible for any storage charges incurred at the destination ramp.

**RULE 34-152
CONTAINER LOADING AND UNLOADING
ISSUED: 23JUN2016
EFFECTIVE: 23JUN2016**

The Authority makes no guarantee that containers in the Inland Port Greer yard prior to cut-off will load that same day's train nor does the Authority guarantee that containers off loaded from that day's train will be accessible for same day pick-up.

**RULE 34-076
ABANDONED PROPERTY AND LONG DWELLING PROPERTY
ISSUED: 24AUG2021
EFFECTIVE: 24AUG2021**

For purposes of this Rule 34-076, the following definitions shall apply:

"Abandoned Property" means any tangible property, including but not limited to, containers, chassis, drums, tanks, vehicles, boxes, cargo, goods, parts, and equipment which has been left or stored on a terminal facility ninety (90) days or longer.

"Long-Dwelling Property" means any tangible property, including but not limited to, containers, chassis, drums, tanks, vehicles, boxes, cargo, goods, parts, and equipment which has been left or stored on a terminal facility fifteen (15) days or longer.

"Owner" means the User who moved the Abandoned Property or Long-Dwelling Property onto the terminal and/or any other party known to the Authority who may claim an interest in the Abandoned Property or Long-Dwelling Property, including but not limited to the User's agent, owner, and the owner's agent.

"Written Notice of Abandoned Property" means notice sent via first-class or certified mail to the last known address of the Owner as indicated on the Authority's records; such notice shall be deemed delivered on the date of receipt or three (3) days after the postmark on the notice's envelope, whichever is earlier.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

RULE 34-076, CONT'D

"Written Notice of Long-Dwelling Property" means notice to the last known address of the Owner as indicated on the Authority's records sent via i) first-class or certified mail or ii) electronic mail or other electronic means (with confirmation of transmission). If sent via first-class or certified mail, such notice shall be deemed delivered on the date of receipt or three (3) days after the postmark on the notice's envelope, whichever is earlier. If sent via electronic mail or other electronic means (with confirmation of transmission), such notice shall be deemed delivered on the date of receipt or three (3) days after transmission, whichever is earlier.

Relocation of Long-Dwelling Property

The Authority, in its sole and exclusive discretion, and with three (3) days prior Written Notice of Long-Dwelling Property to Owner, may relocate Long-Dwelling Property to another terminal facility or an off-terminal site leased or licensed by the Authority. Owner will be responsible for all costs and expenses associated with relocating Long-Dwelling Property, including but not limited to any costs to move, dray, load, unload, barge, remove, and store the Long-Dwelling Property.

The Authority will provide further written notice of the relocation to the Owner once the Long-Dwelling Property is relocated. The Authority shall not be responsible for any costs or expenses incurred by Owner or any third party because of Authority relocating Long-Dwelling Property, except as provided under Rule 34-020.

Any party or User, including but not limited to Owners, failing or refusing to remove Long-Dwelling Property after Written Notice of Long-Dwelling Property from the Authority shall release, indemnify, defend, and hold harmless the Authority from any and all claims, suits, damages, injuries to persons or property, civil or criminal fines, or legal, regulatory or administrative proceedings, arising out of or relating to the presence of such Long-Dwelling Property on the Authority's terminals and the Authority's relocation of the Long-Dwelling Property. If any legal, regulatory, or administrative proceedings are necessary because of the failure to remove Long-Dwelling Property after notice, the interested party or parties shall be liable to the Authority for all the Authority's legal costs and expenses, including but not limited to attorneys' fees.

Sale of Abandoned Property

The Authority in its sole and exclusive discretion may sell Abandoned Property (individually, in bulk, or in packages) at a public or private sale in accordance with South Carolina Code Annotated §§ 36-7-206 and 36-7-210. The Authority will give the Owners thirty (30) days' prior Written Notice of Authority's intent to sell the Abandoned Property. Prior to the sale of the Abandoned Property, any Owner may claim and remove the Abandoned Property upon payment of all accrued charges relating to the Abandoned Property. The Authority shall be entitled to use the proceeds of any such sale to satisfy its lien on the Abandoned Property and all costs and expenses associated with the sale or disposal of the Abandoned Property. Owners shall remain liable to the Authority for all accrued charges, and all costs and expenses of selling or appropriately disposing of the Abandoned Property, less any sales proceeds received by the Authority.

TERMINAL SCHEDULE NO. 9

RULES AND REGULATIONS

RULE 34-076, CONT'D

Any party or User, including but not limited to Owners, abandoning, failing, or refusing to remove Abandoned Property after Written Notice of Abandoned Property from the Authority shall release, indemnify, defend, and hold harmless the Authority from any and all claims, suits, damages, injuries to persons or property, civil or criminal fines, or legal, regulatory or administrative proceedings, arising out of or relating to the presence of such Abandoned Property on the Authority's terminals and the Authority's sale or disposal of the Abandoned Property. If any legal, regulatory, or administrative proceedings are necessary because of the failure to remove abandoned, long-dwelling, refused, or unclaimed Abandoned Property after notice, the interested party or parties shall be liable to the Authority for all the Authority's legal costs and expenses, including but not limited to attorneys' fees

II. DEFINITIONS

TERMINAL SCHEDULE NO. 9

DEFINITIONS

RULE 34-185
DEFINITIONS
ISSUED: 20AUG2019
EFFECTIVE: 01SEPT2019

A. General

Free Time - The specified period during which a containers or cargo may occupy space assigned to it on terminal property, including off-dock facilities, free of terminal demurrage or terminal storage charges immediately prior to the loading on or subsequent to the discharge off the rail.

Loading and Unloading - The service of loading or unloading cargo between any place on the terminal and railroad cars, trucks or any other means of conveyance to or from the terminal facility.

Port Terminal Facilities - One or more structures comprising a terminal unit and including, but not limited to, warehouses, covered or open storage space, unloading structures and receiving stations used for the transmission, care and convenience of cargo in the interchange of same between land carriers.

Terminal Storage - The service of providing warehouse or other terminal facilities for the storing of inbound or outbound cargo after the expiration of free time, including closed or covered storage, open or ground storage, after storage arrangements have been made.

Usage - The use of terminal facility by any rail carrier, trucker, shipper or consignee, their agents, servants and/or employees, when they perform their own car or truck loading or unloading or the use of said facilities for any other gainful purpose for which a charge is not otherwise specified.

B. Container

Commodity Preparation (Additional Handlings) will apply if additional picks greater than five are required to find a specific empty container during a Standard Commodity Preparation. The customer will be billed this fee for each additional container handled.

Container Washout is the washing of an empty container along with the required repositioning actions – marrying, handling, grounding, and/or segregating – to facilitate transportation to and from the stacks.

Deadline Equipment is an empty container or chassis unit that is not roadworthy or useable for its intended purpose.

Deramp – is the removal of a container from a railcar.

Facilitation is the receipt or delivery, to / from the yard, interchange of a loaded or empty container and weighing of export containers at SCIP. Facilitation will be charged to the ocean carrier when the container leaves or arrives at the terminal by motor carrier.

Maintenance Repositioning one fee per visit that includes all actions: HANDLINGS, MARRYINGS, GROUNDINGS and SEGREGATING of deadline equipment needed to facilitate the round-trip repositioning(s) required to and/or from the container yard to and/or from an on terminal third party maintenance vendor.

TERMINAL SCHEDULE NO. 9

DEFINITIONS

RULE 34-185, CONT'D.

B. Container

Non-Rail Re-Delivery – includes all actions - SEGREGATIONS, HANDLINGS, MARRYINGS, GROUNDINGS on loaded containers that are delivered out the gate prior to loading the rail or did not arrive via the rail. Inclusive of Facilitation Fee. Non-rail delivery does not include rigging.

Per Diem is a daily charge assessed against each empty container for the use of Authority facilities. Per diem is assessed against all empty containers carried on the Authority's equipment inventory at the close of each business day.

Rack Bundle is the handling, bundling, and relocation of flatracks to a train or truck.

Ramp is the placement of a container on a railcar.

Rigging is the use of specialty equipment required to handle out-of-gauge containers during marrying, handling, grounding and/or switching. This fee applies only once per visit.

Standard Commodity Preparation The handling and segregating of up to five containers needed to find an empty container in the stacks that meets the criteria for a particular commodity. Standard commodity preparation does not include marrying a box to a chassis.

Switching is the physical lifting of a loaded or empty container from a chassis or other type of conveyance to another chassis or other type of conveyance or repositioning a loaded or empty container on the same chassis or other type of conveyance. Switching includes moving a container off trucker-owned wheels to another chassis. This fee includes chassis handling and/or repositioning when required. Switching (aka Flipping) for OOG containers excludes rigging which will be billed separately.

Terminal Demurrage is a daily charge assessed against a loaded container remaining in or on terminal facilities after the expiration of free time unless arrangements have been made for storage. Terminal demurrage is also applicable to loaded containers remaining in or on terminal facilities after the expiration of an authorized storage period.

III. GENERAL CHARGES

TERMINAL SCHEDULE NO. 9

GENERAL CHARGES

RULE 34-200
LABOR AND OVERTIME CHARGES
ISSUED: 18SEP2013
EFFECTIVE: 01OCT2013

The following charges apply for personnel performing services for which no specific charges are published in this tariff, per hour
(ONE HOUR MINIMUM CHARGE WILL APPLY):

SUPERVISORY I

Cargo Control Supervisor, Lead Cargo Handler or Port Police:

APPLICATION

Straight Time.....\$ 60.00
Overtime\$ 90.00
Holidays.....\$ 150.00

SUPERVISORY II

Container Operations Supervisor, Planner / Coordinator

APPLICATION

Straight Time.....\$ 64.50
Overtime\$ 96.50
Holidays.....\$ 166.00

CONTAINER LABOR

Crane Operator, Container Specialist, Tractor Driver, Container Handler Operator, Office Clerk, Cargo Handler and Laborer

APPLICATION

Straight Time.....\$ 57.50
Overtime\$ 86.50
Holidays.....\$ 140.00

STANDBY CHARGES

Container Handlers

APPLICATION

Straight Time.....\$ 177.00
Overtime\$ 266.00
Holidays.....\$ 443.00

IV. CONTAINER CHARGES

TERMINAL SCHEDULE NO. 9

CONTAINER CHARGES

**RULE 34-215
CHARGES ON CONTAINERS
ISSUED: 29AUG2019
EFFECTIVE: 01OCT2019**

The following charges apply on containers, not exceeding 45 feet in length, not loaded in excess of their rated capacity, and having the loaded or empty configuration that can be routinely handled by conventional container handling yard equipment, owned or leased by the ocean carrier and are assessed against the ocean carrier.

APPLICATION

Facilitation fee, per loaded container \$ 60.00
Facilitation fee, per empty container \$ 40.00

**RULE 34-216
DEADLINE EQUIPMENT
ISSUED: 26FEB2015
EFFECTIVE: 01JUL2015**

The following charges apply on empty containers that stay in a "deadline" status for over thirty (30) days. These charges will be invoiced to the last known ocean carrier and are in addition to Per Diem.

per container per day\$ 27.75
** waived through 2Q2015 and recommence 1 July 2015 **

TERMINAL SCHEDULE NO. 9

CONTAINER CHARGES

RULE 34-220
FREE TIME, TERMINAL DEMURRAGE
ISSUED: 30JUL2021
EFFECTIVE: 16SEP2021

LOADED CONTAINERS

Free time for loaded containers shall be seven (7) calendar days. Free time will begin with the first 12:01 a.m. after deramp / receipt.

Any loaded container on terminal after free time expires will accrue a daily charge payable by the ocean carrier.

DEMURRAGE RATE

The terminal demurrage rate for containers shall be \$20.00 per twenty-foot equivalent unit ("TEU") per day for each day of the first three calendar days of demurrage.

Commencing on the fourth calendar day through the seventh calendar day of demurrage, the demurrage rate for each container will be \$25.00 per TEU per day.

Commencing on the eighth calendar day of demurrage through the twenty-third calendar day of demurrage, the demurrage rate for each container will be \$35.00 per TEU per day.

Commencing on the twenty-fourth calendar day of demurrage and thereafter, the demurrage rate for each loaded container will be \$50.00 per TEU per day.

Containers exceeding 20' in length will be charged as two TEUs.

Demurrage rates are only applicable to loaded import containers. Loaded export containers will not be assessed demurrage.

EMPTY CONTAINERS

1) Each Ocean Carrier will be provided a monthly allotment of allowable empty containers on terminal based on the following formula:

- a) Determine the quarterly dominant leg volume (the higher of either total imports or total exports full and empty) of the prior quarter.
- b) Divide the dominant leg volume by 13 and multiply by a factor of 2.
- c) Note. If there is any significant change, the volumes can be recalculated at the request of the Ocean Carrier or the Authority.

2) If the Ocean Carrier exceeds its monthly allotment thereby constraining terminal capacity, the Authority will provide an email to the ocean carrier. After fifteen (15) days from receipt, the Authority reserves the right to decline the acceptance of empty containers through the gate if empties on terminal are higher than their daily allotment.

Until further notice Per Diem charges will be waived for carriers not exceeding their monthly empty allotment. Carriers consistently in violation of their allotment will be charged at the current per diem rate under Rule 34-225 of this schedule.

The Authority also reserves the right to request Ocean Carriers to evacuate empties should space become constrained or operations become hindered due to excessive empty inventory at Inland Port Greer.

TERMINAL SCHEDULE NO. 9

CONTAINER CHARGES

RULE 34-220 CONT'D

CONTAINER DEMURRAGE CREDIT

Any occurrence which results in the South Carolina State Ports Authority's inability to provide container services for 24 consecutive hours or more will result in a demurrage credit of one day, upon application, to the ocean carrier's account for affected loaded containers. Additional credit(s) shall be given if the closure or other occurrence continues for any further 24 consecutive hour periods. All applications for demurrage credit must be received within six months of the occurrence. Applications received after six months will be denied. When applying for credit, the individual ocean carrier must include vessel name, voyage number, date of occurrence and type of occurrence.

COMPUTATION OF TIME

Saturdays, Sundays and Holidays shall be included in the computation of free time, terminal demurrage, and storage.

HOLIDAY FREE DAY AND TERMINAL DEMURRAGE

If a terminal is closed on a holiday as defined in Rule 34-045 ("Holiday"), then the Authority will extend an extra free day for demurrage at said terminal. If a terminal is open on a Holiday, then the extra free day for demurrage at said terminal shall not apply.

RULE 34-222

HOLIDAY GATE LABOR CHARGES

ISSUED: 18SEP2013

EFFECTIVE: 01OCT2013

Customer-requested holiday gate charges will be allocated to the Ocean Carriers based on participation and total cost. See Rule 34-045 for applicable holidays.

RULE 34-225

MISCELLANEOUS CHARGES FOR CONTAINERS

ISSUED: 20AUG2019

EFFECTIVE: 01SEPT2019

The following services will be performed by the Authority at the charges shown in addition to facilitation charges. Parties requesting yard work activities must allow 24 hours for completion of the service requested. This does not include weekends or holidays.

APPLICATION

Container Washout.....	\$ 205.00
Standard Commodity Preparation	\$ 60.00
Commodity Preparation (Additional Handlings).....	\$ 15.00
Rack Bundle.....	\$ 150.00
Switching containers, per container	\$ 155.00
Rigging fee, per container	\$ 264.00
Per diem, per day or fractional part thereof, per empty container	\$ 2.50
Maintenance Repositioning.....	\$ 75.00
Non-Rail Re-Delivery, per container	\$ 300.00